



The Honourable Deb Frecklington MP
Attorney-General and Minister for Justice
Minister for Integrity

01 DEC 2025

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to e-Petition 4267-25 and Paper Petition 4321-25 tabled in the Legislative Assembly on 30 October 2025 titled *Castle Law*.

The petitioners seek changes to the operation of self-defence laws in the Queensland Criminal Code; to abolish the requirement for the use of force to be reasonably necessary and to give victims the right to use whatever force is necessary to protect themselves during a home invasion.

The Crisafulli Government is committed to addressing crime and making our community safer. Queenslanders should always feel safe in their homes and communities.

The criminal law does not penalise those who act reasonably to protect themselves. The Criminal Code provides a number of defences that allow Queenslanders to use reasonable force to defend themselves, their property, and other people. Two such provisions are the defence of dwelling under section 267 and self-defence against unprovoked assault under section 271.

Self-defence against unprovoked assault permits a person who is unlawfully assaulted and has not provoked the assault, to use force reasonably necessary to defend themselves, provided it is not intended or likely to cause death or grievous bodily harm (GBH). However, they may use force necessary to defend themselves, even if it may cause death or GBH, if the assault causes the person to reasonably fear death or GBH and they believe they cannot otherwise defend themselves. The law of self-defence is drafted broadly to operate flexibly in a wide range of possible scenarios.

Defence of dwelling allows persons in possession of a dwelling to use force to prevent or repel another person from unlawfully entering or remaining in the dwelling. The

person must believe on reasonable grounds the other person is attempting to enter or remain in the dwelling with intent to commit an indictable offence (such as assault or stealing), and it is necessary to use that force. The court also recognises a person defending their home cannot always weigh the exact action they should take to avoid a threat and that they are unlikely to have an opportunity for calm deliberation or detached reflection. The court's consideration of whether the defence applies is approached in a practical way taking into account the particular situation.

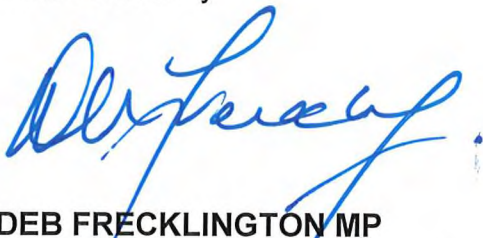
It is not necessary for the defendant to prove defence of dwelling or self-defence, rather the prosecution must exclude or negate the defence, beyond reasonable doubt, to establish that the person acted unlawfully.

The Queensland Law Reform Commission (QLRC) is currently undertaking a review of particular criminal defences under the Criminal Code, including self-defence. The QLRC is due to deliver its final report on 1 December 2025 and the Government will consider the recommendations of the report, including any recommended changes to self-defence.

Finally, the Crisafulli Government is committed to making Queensland safer. We have introduced laws for Adult Crime, Adult Time to ensure youths who commit offences are appropriately punished in line with community expectations, after a decade of decline under Labor's weak laws. Further, to ensure Queenslanders feel safe, the Crisafulli Government has grown its police force by 453 officers in its first 12 months of government. This is in comparison to Labor which recruited only 174 officers in its last four years of government.

I thank the petitioners for bringing their concerns to the attention of the House.

Yours sincerely



DEB FRECKLINGTON MP

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